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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**Date of decision: July 05, 2017
CRM-M-23374 of 2017**

Simarjit Singh and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CRM-M-23391 of 2017

Amrik Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Madan Sandhu, Advocate
for the petitioners (in CRM-M-23374 of 2017) and
for respondent No.2 (in CRM-M-23391 of 2017).

Mr. Gobind Sharma, Advocate
for the petitioners (in CRM-M-23391 of 2017) and
for respondent No.2 (in CRM-M-23374 of 2017).

A.B. CHAUDHARI, J (Oral)

By this common order, above said both the petitions are
being disposed of.

In both these petitions, arising out of cross cases, the
petitioners have sought compounding of offences against each other.

Respondent No.2 (in CRM-M-23374 of 2017) had got registered FIR

No.56 dated 09.09.2011, under Sections 326, 324, 323, 34 of Indian

Penal Code, 1860 (for short 'IPC'), registered at Police Station Baretta, Mansa. Respondent No.2 (in CRM-M-23391 of 2017) had filed a private complaint case No.206 of 31.10.2011 titled as “Ishar Kaur versus Amrik Singh and others. Thus, both were the cross cases and thus, petitioners in both these cases seek quashing of offences in question by way of compounding/compromise.

As contended by learned counsel for the rival parties in both these petitions, the accused persons in both the cases have been convicted by the trial Court. They preferred appeals before the lower Appellate Court which are still pending. During the pendency of the appellate proceedings, both the parties applied for compounding of the offences on the ground that in order to achieve peace and harmony, they have entered into compromise and therefore, compounding should be allowed. Lower Appellate Court made an order dated 29.03.2017 rightly asking both the parties to approach this Court in view of the decision in the case of **Gian Singh vs. State of Punjab and another** 2012 (4) RCR (Crl.) 543.

Having gone through the fact that the compromise between the parties has been arrived at in both these proceedings and that the parties want to live in peace and harmony, I think the discretion to allow them to compound offences in question in both these cases should be exercised, particularly, because they belong to the same village and are neighbours. However, since the entire machinery was utilized by both the parties, three petitioners each in both these

petitions will have to pay compensatory costs to the State of Punjab.

In that view of the matter, CRM-M-23374 of 2017 and CRM-M-23391 of 2017 are allowed. FIR No.56 dated 09.09.2011, under Sections 326, 324, 323, 34 of IPC, registered at Police Station Baretta, Mansa and private complaint case No.206 of 31.10.2011 titled as “Ishar Kaur versus Amrik Singh and others, are quashed by way of compounding/compromise. Each petitioners in both these petitions shall pay compensatory costs in the sum of ₹3,000/- each (total ₹18,000/-) to the State of Punjab by depositing the same with the trial Court within 8 weeks from today, failing which this order shall come to an end. The trial Court shall forfeit the said amount to the account of State of Punjab.

(A.B. CHAUDHARI)
JUDGE

July 05, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No